IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2526 OF 2007

Kachardas Fulchand Raka .... Petitioner
V/s
Vishwanath Dnyanoba Yevankar & Ors..... ..... Respondents.

Mr.Umesh Mankapure, Adv. for the petitioner.

Mr.A.A.Joshi, Adv. For respondent Nos. 1 to 5.

CORAM: A.P. DESHPANDE, J.
17.8.2007

PC:

An order passed by the trial Court rejecting the application for amendment of the plaint is challenged by filing the present writ petition. Suit is filed in the year 1990. Parties had led evidence and after arguments of respective advocates when the matter was fixed for judgment the present application came to be moved. The trial Court did not find favour with the application and rejected the same on the ground that the same is belatedly filed and the same is not bonaifde. At this stage I do not propose to interfere with discretionary interlocutory order. However I leave all contentions raised in the present writ petition open for being canvassed in regular first appeal if and in case judgment and decree goes against the petitioner and the petitioner is required to file an appeal. Writ petition is thus summarily dismissed.

17.8.07.